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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

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13 UNITED STATES OF AMERICA,) NO. CR S 03-535-DFL
14 Plaintiff,)
15 v.) STIPULATION CONTINUING STAY OF
16 CARLO MIRELES,) PRESENTENCE SCHEDULE
17 Defendant.)
18 _____) Judge: Hon. David F. Levi
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Pursuant to a stipulation of the parties, through their respective attorneys, this Court previously stayed the sentencing schedule in this case and ordered the parties to file a further status report or stipulation, indicating whether the stay should be continued.

The parties, through their respective attorneys, stipulate and agree that the currently-scheduled sentencing and pre-sentence report schedule be stayed indefinitely, to permit Mr. Mireles' continued cooperation and debriefing in the underlying case. The co-defendant in this case currently scheduled for a partial change of plea on May 13,

1 2005. In addition, this Court has scheduled a jury trial for October
2 31, 2005.

3 Mr. Mireles remains out of custody on pre-trial services
4 supervision. Mr. Mireles originally planned to self-surrender to the
5 U.S. Marshal's office in Sacramento in mid-March to begin service of
6 whatever sentence this court may ultimately impose; however, in light
7 of the current unresolved status of the co-defendant's case, counsel
8 advised Mr. Mireles not to surrender until such time as the trial
9 status of his co-defendant has been resolved. Counsel for plaintiff
10 United States and defendant Mireles will confer on or after May 13,
11 2005, and determine an agreed-upon date for Mr. Mireles's surrender.

12 On or before June 1, 2005, the parties shall file a further status
13 report or stipulation indicating Mr. Mireles's planned self-surrender
14 date and whether the stay of his sentencing should be continued. A
15 proposed Order to this effect is attached.

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17 Dated: May 5, 2005

Respectfully submitted,

18 McGREGOR W. SCOTT
United States Attorney

QUIN DENVER
Federal Defender

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21 /s/ S. Robert Tice-Raskin
S. ROBERT TICE-RASKIN
22 Assistant U.S. Attorney
Attorneys for Plaintiff

23 /s/ Daniel J. Broderick
DANIEL J. BRODERICK
24 Chief Assistant Federal Defender
25 Attorneys for Defendant
26 CARLO MIRELES

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) NO. CR S 03-535-DFL
v. Plaintiff,)
CARLO MIRELES,) ORDER CONTINUING STAY OF THE
Defendant.) SCHEDULE FOR DISCLOSURE OF PRE-
SENTENCE REPORT AND STAYING OTHER
SENTENCING-RELATED DATES

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Pursuant to the stipulation of the parties continuing the stay of the presentence schedule in this case, and for the reasons stated therein, IT IS HEREBY ORDERED that the presentence and sentencing schedule previously set by this Court on February 12, 2004, shall continue to be stayed until further order.

IT IS FURTHER ORDERED that on or before June 1, 2005, the parties shall file a further status report or stipulation indicating Mr. Mireles's planned self-surrender date and whether the stay should be continued. A copy of this order shall be served on United States Probation Officer Dennis Foxx and Pre-Trial Services officer Phil Davis.

Dated: May 6, 2005

/s/ David F. Levi

DAVID F. LEVI

Chief, United States District Judge